IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

SPL. APPL. WRIT No. 946 of 2007

M/S. GORA TRANSPORT
V/S
U.O.I. & ORS.

Mr. SP SHARMA, for the appellant / petitioner

Date of Order : 1.11.2007

HON'BLE SHRI N P GUPTA,J.
HON'BLE SHRI MUNISHWAR NATH BHANDARI,J.

ORDER

Heard learned counsel for the appellant.

In view of Clause 16 of the performa agreement, the matter is required to be adjudicated by arbitration. In that view of the matter, we do not find any ground to even entertain the appeal. The learned Single Judge has dismissed the writ petition on the ground of non-joinder of necessary parties, nonetheless the learned Single Judge has declined to entertain the writ petition. In that view of the matter, we do not find any ground to interfere with the impugned order either. However, it is clarified that this dismissal of the writ petition and this special appeal will not effect the right of the petitioner to go for arbitration.

(MUNISHWAR NATH BHANDARI),J. (N P GUPTA),J.

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